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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,941	12/21/2001	Larry Russell	PW-0278623	3834

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EXAMINER

BLACK, LINH

ART UNIT PAPER NUMBER

2167

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/028,941	RUSSELL, LARRY	
	Examiner	Art Unit	
	LINH BLACK	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |



DETAILED ACTION

This communication is in response to the Applicant's Response dated 4/18/05. Claims 1-22 are pending in the application. Claims 1, 12, and 18 are independent claims.

Claim Objections

Claim 20 is objected to because of the following informalities: in the second line of claim 20, of the "Amendments to the Claims Document" dated 4/18/05, a period followed by the limitation "notebook computers". Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8, 11-13, 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pekowski et al. (USP 6557007), and further in view of Erturk et al. (US 6135776).

As per independent claims 1, 12, 18, Pekowski et al. teach: collecting the information from at least one exhibitor; compiling the collected information into an electronic database – col. 1, lines 35-54; fig. 2, elements 32, 66, 62; figs. 4-5, element 204; col. 7, line 53 to col. 8, line 28 (where all information related to shows are gathered and saved to the database).

Mircrosoft Computer Dictionary – Fourth Edition teaches:

- “database server” as a network node, or station, dedicated to storing and providing access to a shared database.
- “distribute” as to allocate among location or facilities as in a data-processing function that is performed by a collection of computers and other devices linked together by a network.

Pekowski et al. do prompt for exhibitors’ information – figs. 4-6; items 162, 204, 230-282. Pekowski et al. do not explicitly disclose, “distributing the database in an electronic medium to a tradeshow attendee”. However, the limitation distributing the database in an electronic medium to

users/buyers/customers/etc...is not novel in the art. Erturk et al. teach “hand-on kit interactive software learning system” – the title. Erturk et al. also teach “A CD-ROM 40 is depicted in FIG. 3. It holds the database content 24 and a software program that directs the project. The database content 24 complements the kit activities. Alternatively, the database content could be distributed by other low-cost means, for example magnetic media or over the Internet. The preferred embodiment of the present invention is to distribute the software program and content database via CD-ROM” – col. 8, lines 8-15. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Pekowski et al.’s teaching with Erturk et al.’s teaching in order to allow different methods of tradeshow’s information be distributed to more clienteles/tradeshow attendees.

As per claim 2, Pekowski et al. teach wherein the database is a searchable database viewable via a computer program - col. 7, line 53 to col. 8, line 28. However, Pekowski et al. does not explicitly teach the electronic medium is a Compact Disk. Erturk et al. further teaches compact disks are used to store databases of information – col. 8, lines 8-25. Thus,

it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Pekowski et al.'s teaching with Erturk et al.'s teaching in order to allow the distribution of tradeshow information on CD-ROMs to allow users with different computer systems to access to tradeshow's information.

As per claims 3, 13, Pekowski et al. teach wherein the step of collecting the information comprises uploading the information onto a web site – col. 6, lines 63 to col. 7, line 17.

As per claims 4, 17, Pekowski et al. teach wherein the step of collecting the information comprises uploading the information onto a wireless network – col. 7, lines 25-30.

As per claim 6, Pekowski et al. teach providing a computer at the tradeshow; and allowing the tradeshow attendee to view the information in the database on the computer – col. 1, line 45 to col. 2, lines 67.

As per claim 7, Pekowski et al. teach wherein the information comprises the at least one exhibitor's product information, web site address, catalogue information, and the exhibitor's location at the tradeshow – col. 8, lines 9-27.

As per claims 8, 11, Pekowski et al. teach wherein the information is collected prior to the tradeshow and the database is distributed to the tradeshow attendee in a time frame selected from the group consisting of prior to the tradeshow, during the tradeshow, and after the tradeshow – col. 8, lines 9-27; fig. 4; col. 10, lines 3-19; col. 32, lines 18-39. (Users can access updated current information such as add information before the tradeshow, edit/buy information during the show, and checked for updated information after the tradeshow such as shipping information etc...)

As per claim 19, Pekowski et al. teach wherein the step of collecting the information comprises uploading the information onto a web site – col. 6, lines 63 to col. 7, line 17.

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Claims 9-10, 16, 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pekowski et al. (USP 6557007), Erturk et al. (US 6135776), and further in view of Mikurak (USP 6606744).

As per claims 9-10, 16, Pekowski et al. teach wherein the database is a searchable database viewable via a computer program – col. 7, line 53 to col. 8, line 28. However, Pekowski and Erturk et al. do not explicitly teach the database is viewable via a PDA. Mikurak teaches distributors' information can be viewable via PDAs – col. 201, lines 38-64. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Pekowski et al.'s and Erturk et al.'s teachings with Mikurak's teaching in order to allow users on different computer/accessing devices/environments to be able to access the tradeshow database efficiently.

As per claim 20, Pekowski and Erturk et al. does not explicitly teach the electronic medium is selected from the Group consisting of PDAs. Mikurak teaches distributors' information can be viewable via PDAs – col. 201, lines 38-64. Thus, it would have been obvious to one of ordinary skill in the art

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at the time of the invention to combine Mikurak's teaching with Pekowski et al.'s and Erturk et al.'s teaching in order to allow users on different computer/accessing devices/environments to be able to access the tradeshow database efficiently.

As of claim 21, Pekowski et al. wherein the database is a searchable database viewable via a computer program and accessible via the Internet - col. 7, line 53 to col. 8, line 28.

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pekowski et al. (USP 6557007), Erturk et al. (US 6135776), Mikurak (USP 6606744), and further in view of **Thenery (USP 4806743)**.

As per claim 22, Pekowski et al., Erturk et al., and Mikurak do not explicitly teach the electronic medium is located at the tradeshow. However, Thenery teaches "installation for managing the "visistor" resource at a trade show, or fair, or the like" – the title. Thenery teaches "The present invention relates in general to computerized installations for facilitating the exchange of information between serving entities and the people that may

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come into contact with said entities. The term "serving entity" is used to cover, in particular, exhibitors or the like present at trade shows or other exhibitions or fairs, with the above-mentioned people then being visitors, members of the press, and personalities who may make contact with said exhibitors" – col. 1, lines 5-15. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Pekowski et al.'s, Erturk et al.'s, and Mikurak's teachings with Thenery's teaching in order to allow not only off-site but also conveniently on-site accesses to trade-show information.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pekowski et al. (USP 6557007), Erturk et al. (US 6135776), and further in view of DeLorme et al. (USP 5948040).

As per claim 5, Pekowski et al. and Erturk et al. do not explicitly teach wherein the computer program is integrated with the database. However, DeLorme et al. teach "Travel Reservation Information and Planning System" – the title. DeLorme et al. teach a computer program is integrated with the database on a CD – col. 10, lines 9-17. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to

combine Pekowski et al.'s teaching and Erturk et al.'s teaching with DeLorme et al.'s teaching in order to allow users to effectively access to information stored on distributed CDs.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pekowski et al. (USP 6557007), Erturk et al. (US 6135776), and further in view of Thenery (USP 4806743).

As per claim 14, Pekowski et al. and Erturk et al. do not explicitly teach the computer is located in a dedicated kiosk or booth at the tradeshow.

However, Thenery teaches "installation for managing the "visistor" resource at a trade show, or fair, or the like" – the title. Thenery teaches "The present invention relates in general to computerized installations for facilitating the exchange of information between serving entities and the people that may come into contact with said entities. The term "serving entity" is used to cover, in particular, exhibitors or the like present at trade shows or other exhibitions or fairs, with the above-mentioned people then being visitors, members of the press, and personalities who may make contact with said exhibitors" – col. 1, lines 5-15. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to

combine Pekowski et al.'s and Erturk et al.'s teachings with Thenery's teaching in order to allow not only off-site but also conveniently on-site accesses to trade-show information.

As per claim 15, Pekowski et al. teach wherein the information is collected prior to the tradeshow and the database is distributed to the tradeshow attendee in a time frame selected from the group consisting of prior to the tradeshow, during the tradeshow, and after the tradeshow – col. 8, lines 9-27; fig. 4; col. 10, lines 3-19; col. 32, lines 18-39. (Users can access updated current information such as add information before the tradeshow, edit/buy information during the show, and checked for updated information after the tradeshow such as shipping information etc...)

Response to Arguments

Applicant's arguments filed 4/18/05 have been fully considered but they are not persuasive.

In response to the argument "information on the products or services of the exhibitors themselves is not collected or managed. Indeed, the

information collected in the system disclosed in either Pekowski or Thenery is not accessible by a tradeshow visitor or attendee” on page 7 of the Applicant’s Response,

Examiner finds that Pekowski’s system allows the receiving of exhibitors’ information for tradeshows – col. 1, lines 35-62; col. 2, lines 62-67; fig. 2, elements 32, 66, 62; figs. 4-5, element 204; col. 7, line 53 to col. 8, line 28, thus, it means “collecting the information from at least one exhibitor via solicitation” as claimed in claim 1.

In the Microsoft Computer Dictionary – Fourth Edition, database is “a file composed of records, each containing fields together with a set of operations for searching, sorting, recombining, and other functions.”

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., “no information on the products or services of any of the exhibitors is collected or managed”) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

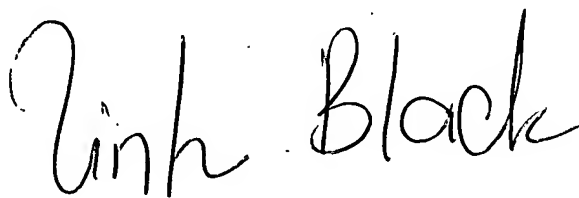
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LINH BLACK whose telephone number is 571-272-4106. The examiner can normally be reached on 8am - 5pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN BREENE can be reached on 571-272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



LINH BLACK
Examiner
Art Unit 2167

June 22, 2005



Primary Examiner